

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PAUL IACOVACCI,

Plaintiff,

-against-

BREVET HOLDINGS, LLC, a Delaware  
Limited Liability Company, *et al.*,

Defendants.  
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18cv8048

ORDER

WILLIAM H. PAULEY III, Senior United States District Judge:

On July 24, 2020, the parties filed a joint letter describing several disputes arising from their attempts to create a global discovery protocol. (ECF No 154.) This Court has reviewed that letter, the attached draft protocols, and the accompanying documents. To resolve the parties' disputes, this Court will conduct a teleconference on August 4, 2020 at 10:00 a.m. The dial-in number for the teleconference is (888) 363-4749. The access code is 3070580.

In advance of that conference, Defendants shall submit a letter to this Court no later than 4:00 p.m. on August 3, 2020 providing a more detailed breakdown of the hit counts generated by Plaintiff's proposed revisions to the protocol. Specifically, this Court is interested to know:

1. The total number of hits and unique hits generated by the addition of custodians Cherie Harris, Michael Mahar, Deborah Friant, and/or Stephen O'Keefe, as requested by Plaintiff in Sections 2(b)(i) and 2(e)(i) of the protocol;
2. The total number of hits and unique hits generated by the substitution of the proximity term "w/25" with the proximity term "w/35" or "w/50" in Section 2(c)(i) of the protocol;

3. The total number of hits and unique hits generated by accepting all of Plaintiff's alterations in Section 2(e)(iii) of the protocol with the sole exception of reinserting the term "'Capital Management' OR 'BCM'") and then replacing it with "'Capital Management' OR 'BCM' OR 'Brevet')"; and
4. The total number of hits and unique hits generated by accepting all of Plaintiff's alterations in Section 2(e)(iii) of the protocol with the sole exception of replacing the term "'(monitor\* OR access\* OR review\* OR view\*) AND (Dell OR OptiPlex OR 63NS942 OR desktop OR home OR residence OR email\* OR e-mail\* OR yahoo\* OR gmail OR Outlook OR communication\*)'" with "'(monitor\* OR access\* OR review\* OR view\*) AND (Dell OR OptiPlex OR 63NS942))."

Similarly, Plaintiff shall submit a letter to this Court no later than 4:00 p.m. on

August 3, 2020 with the following information:

1. Plaintiff's reasoning for adding the final two sentences of the "Custodial Locations" subsection in Section 1 of the protocol;
2. An explanation of the term "segregated custodial locations," as used in the "Custodial Locations" subsection of Section 1 of the protocol; and
3. Plaintiff's reasoning for expanding the timeframe for many requested documents from December 31, 2016 to "the present."

Dated: July 31, 2020  
New York, New York

SO ORDERED:

  
WILLIAM H. PAULEY III  
U.S.D.J.